

Vacation.

Declaratory

Resolution # 776

Alley between Schilling Ave.
and Rumsey Avenue from
Spring Street to Fourth.

ALL ACTION RESOINDED
JAN 18 1955

DECLARATORY RESOLUTION No. 776-1947

For the vacation of the alley between Schilling Avenue and Rumsey Avenue from Spring Street to Fourth Street.

Resolved by the Board of Public Works of the City of Fort Wayne, Indiana that it is desired and deemed necessary to vacte the alley between Schilling Avenue and Rumsey Avenue from Spring Street to Fourth Street.

All as shown by a plan of such proposed alley vacation as above described now on file in the office of the Department of Public Works of the City of Fort Wayne, Indiana.

The vacation of the alley as above described shall however be subject to and easement for the use of the City of Fort Wayne and other public utilities for the construction and maintainance of sewers, water mains, electric pole lines and conduits, telephone and telegraph poles and conduits.

The cost of the said vacation as above described shall be assessed against the property owners beneficially affected thereby.

The property which may be injuriously or beneficially affected by the proposed alley vacation as above described, is described as follows: Lots numbered one (1) and twenty-four (24) in Sander's Subdivision, and also Lots numbered thirty-three (33) and thirty-four (34) in Schilling Heirs Addition, said subdivision and addition aforementioned being in the City of Fort Wayne, Indiana.

All according to the method and manner provided for in an act of the General Assembly of the State of Indiana, entitled "An Act Concerning Municipal Corporations", approved March 6, 1905 and the provisions of all acts amendatory thereto and supplemental thereof, including the right to bond assessments as in said law ordered.

Assessments if deferred are to be paid in ten (10) equal installments with interest at the rate of five (5%) per centum per annum. Under no circumstances shall the City of Fort Wayne, Indiana be or be held responsible for any sum or sums due from said property owner or owners for said condemnation of property, or for the payment of any bond or bonds, except for such moneys as shall have been actually received by the said City from assessments for such property damages or such moneys as said City is by ^{said} above entitled act Required to pay. All proceeding had in the making of said improvement, assessment of property, collection of assessments and issuance of bonds therefor, shall be as provided for in said above entitled act and all amendments thereto and supplemental thereof.

All of said streets and lots and lands affected by the above described alley vacation being situated in the Northwest Quarter (NW $\frac{1}{4}$) of Section Three (3) Township Thirty North (30N), Range Twelve East (12E), and lying within the corporate limits of the City of Fort Wayne, Allen County, Indiana.

ADOPTED THIS 24th DAY OF July, 1947

ATTEST: Allen W. Smith
Secretary

Robert G. Burns
Fred W. Menze
John H. J.
BOARD OF PUBLIC WORKS

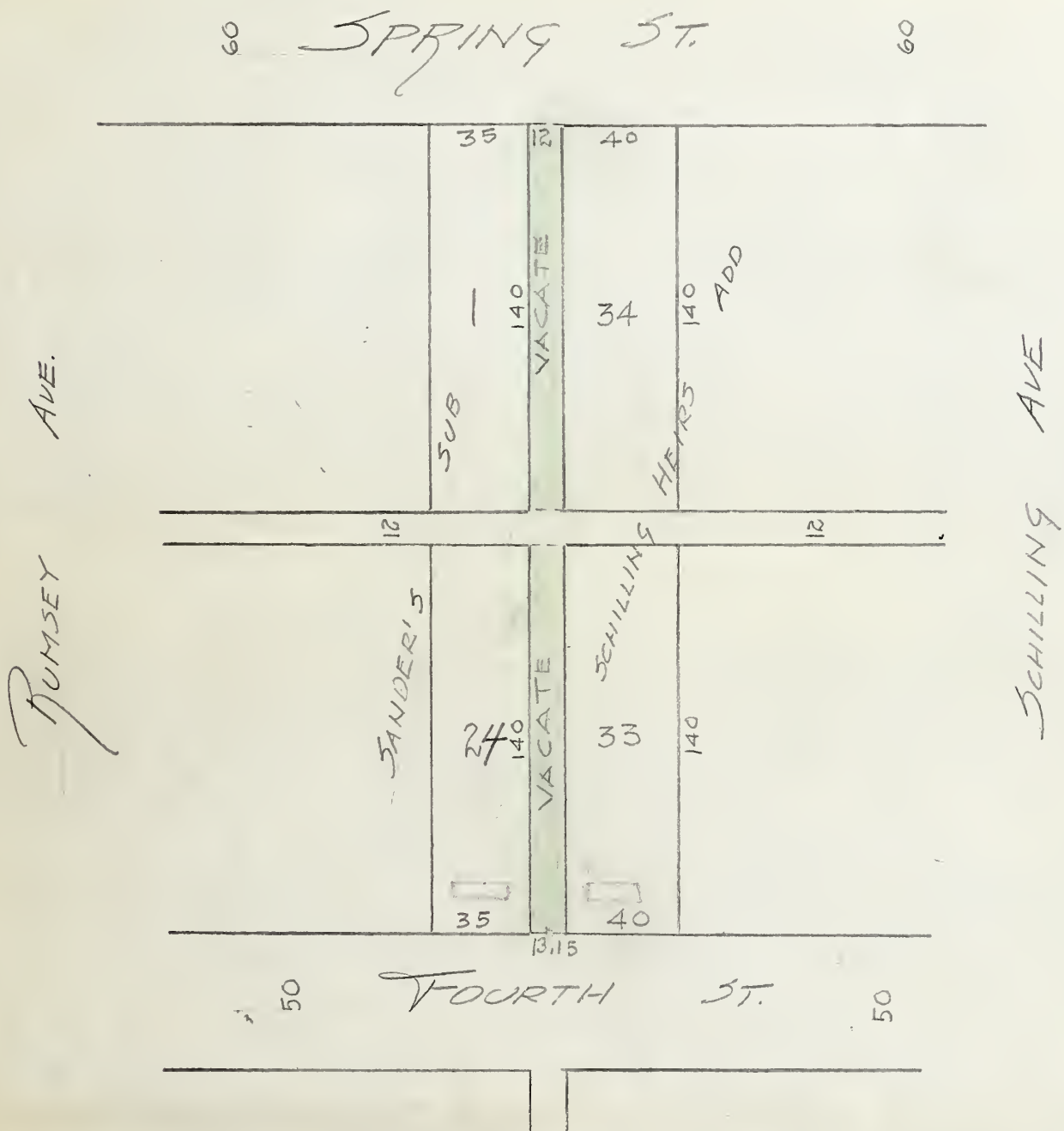
City Of Fort Wayne Indiana



OFFICE OF
ENGINEERING DEPARTMENT
CHAUNCEY R. MCANLIS
CITY ENGINEER

FORT WAYNE, INDIANA

16 Spring



City Of Fort Wayne
Indiana



OFFICE OF
BOARD OF PUBLIC WORKS

June 12, 1947

FORT WAYNE, INDIANA

Mr. Chauncey R. McAnlis
City Engineer
Fort Wayne, Indiana

Dear Sir:

You are hereby instructed to prepare plans for the
vacation of the alley between Schilling Avenue and Rumsey Avenue
from Spring Street to Fourth Street.

Yours truly,

ATTEST:

Helena M. Sweet
Secretary

Robert W. Meyer
John H. Johnson
BOARD OF PUBLIC WORKS

HWS:hs

Res. # 776-1947
RRB
To Bd.

PETITION

Fort Wayne, Ind.,

June 12, 1947

To the Board of Public Works of the City of Fort Wayne:

Gentlemen:

The undersigned, owners of real

estate on _____, from

_____ to _____

respectfully petition for the passage of a resolution providing for the

vacation of the alley between Schilling Ave. and Ramsey from Spring to Truth.

Name	Address	Petitioner
X George L. McIntire	1616 W. 4th St.	
Paul E. Evans	1622 W 4th St	
William H. Geist	1619 Spring St.	

A. V. Frybarger 1610 W 4th St

Petition for Passage

of a Resolution for

Vacation of the alley between

Schilling Avenue and Rumsey

Avenue from Spring Street to

Fourth Street.

from

to

Filed with the Board of Public Works

Plans ordered: June 12, 1947

#776 - LOT 34 - 1615 SPRING ST.

Office of B. of Public Works.

Aug 15 - 1947.

Dear Sir: -

While we have not received a notice of improvement our attention has been called to the fact that the #776 resolution has been passed providing for the vacation of the alley between Schilling and Rumsey Aves. from Spring St. to Fourth St.

As it will not be possible for either of us co-property owners of lot #34 to be present on the evening of Aug. 21st. we are writing you our objections to said proposal, to file for use on that day.

After thinking this all over thoroughly we feel that if the alley half which concerns our #34 and Geists #33 lots from Spring St. to the E. & West alley, or that of Schilling to Rumsey, is vacated, a hazard to our two joining properties might result. There's no other drive ways to these, no individual drives on our properties. Thus the public utility trucks would need to cut up our lawns to get in to do any wire work or pole service. Our place has no way of getting coal into the bin window only by alley driveway. Too, that side of our lot 34 - is nicely hedged. If that ^{half} alley were vacated we would need to tear away landscap-

ing at the back of our lot which all would be a detriment + bare eye sore over our back yard.

It is true that the alley vacancy would affect our property worse than any of the petitioners, but why make changes which affect any body? Heretofore, that alley has been a valuable asset to all of our properties.

Why not forget 'to vacate it' and think to pave it in some neat manner, + improve our surroundings?

I, or we, think not only of now, but for all time which could be beneficial to any owners so of these adjoining properties?

We would heartily favor paving that 150 ft.

Understand, we do not care what action the two Fourth street owners take beyond the Schilling Ave. alley, South of our half alley.

We only hope for kind consideration from our near lot #33 neighbor.

Thank you.

Sincerely,

Mr. & Mrs. Wm D. Kuhn.



Digitized by the Internet Archive
in 2015

